

Patent
Attorney's Docket No. 012712-643

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Christine A. WHITE et al.

Application No.: 09/436,347

Filed: November 9, 1999

For: TREATMENT OF HEMATOLOGIC
MALIGNANCIES ASSOCIATED WITH
CIRCULATING TUMOR CELLS USING
CHIMERIC ANTI-CD20 ANTIBODY)



Group Art Unit: 1643

Examiner: Unassigned

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**TRANSMITTAL OF VERIFIED STATEMENT CLAIMING
SMALL ENTITY STATUS - SMALL BUSINESS CONCERN**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is a Verified Statement (Declaration) Claiming Small Entity Status,
duly executed by the Assignee of the above-identified patent application.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: December 14, 1999

By: Robin L. Teskin

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Applicant or Patentee: Christine A. WHITE et al

Application or Patent No.: 09/436,347

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For: TREATMENT OF HEMATOLOGIC MALIGNANCIES ASSOCIATED WITH CIRCULATING

TUMOR CELLS USING CHIMERIC ANTI-CD20 ANTIBODY

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. §§ 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN IDEC PHARMACEUTICALS CORPORATION

ADDRESS OF CONCERN 11011 Torreyana Road, San Diego, CA 92121

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 1.21 for purposes of paying reduced fees under Sections 41(a) and 41(b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average, over the previous fiscal year of the concern, of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled TREATMENT OF HEMATOLOGIC MALIGNANCIES ASSOCIATED WITH CIRCULATING TUMOR CELLS USING CHIMERIC ANTI-CD20 ANTIBODY by inventor(s) CHRISTINE A. WHITE and ANTONIO J. GRILLO-LÓPEZ described in

- ☐ the specification filed herewith
☒ Application No. 09/436,347, filed November 9, 1999
☐ Patent No. _____, issued _____

If the rights held by the above-identified small business concern are not exclusive, each individual, concern, or organization having rights to the invention is listed below,* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c), or by any concern that would not qualify as either a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27.)

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NAME _____

ADDRESS _____

☐ individual ☐ small business concern ☐ nonprofit organization

NAME _____

ADDRESS _____

☐ individual ☐ small business concern ☐ nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earlier of the issue fee and any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b).)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Christopher A. Dayton

TITLE OF PERSON OTHER THAN OWNER Assistant Secretary for Intellectual Property

ADDRESS OF PERSON SIGNING IDEC Pharmaceuticals Corporation

11011 Torreyana Road, San Diego, CA 92121

SIGNATURE  DATE 12/1/99

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